

Patent No. 6,496,122 to Sampsell ("Sampsell"). Claims 5-7, 21, 29 and 33 were rejected under 35 U.S.C. §103(a) as unpatentable over Allport in view of Sampsell and further in view of U.S. Patent No. 6,453,160 to Thomas ("Thomas"). Claim 18 is rejected under 35 U.S.C. §103(a) as unpatentable over Allport in view of Sampsell and further in view of U.S. Patent No. 6,765,557 to Segal et al. ("Segal"). The Applicants traverse these rejections.

Each of the independent claims (claims 1, 28, and 35) recites a mobile terminal having a transmitter for transmitting graphical information (e.g., second data) to an external display device over a wireless RF link. As acknowledged in the Office Action, Allport does not teach "the transmission of the second data to the display device over a wireless RF link." (Office Action, p. 3.) The Office Action asserts that the mobile device, integrated with the base station, "communicates with the TV via wired connections." (Office Action, p. 3.)

The Applicants respectfully disagree in part with this characterization of Allport. In particular, the Applicants respectfully submit that a device which communicates with a TV via a wired connection is not a "mobile device." The term "mobile device" or "mobile terminal" is used to describe a device or terminal that is connected to other devices, such as an external display, via a wireless connection. If the remote control and base station of Allport were combined as a "mobile device," in other words, without a wired connection to the television set, there would be no transfer of graphical information (e.g., video signals) from the "mobile device" to the television because such a device would not include an RF transmitter, as described at Allport, Col. 12, lines 51-58. Accordingly, Allport does not teach or suggest a "mobile terminal having a transmitter for transmitting graphical information to an external display device over a wireless RF link." In fact, Allport does not teach a mobile terminal that transmits graphical information to an external display over any type of connection.

To address the deficiency in Allport, the Office Action turns to Sampsell and asserts that Sampsell teaches "a communication system which transfers image and video data between a video remote control 170 and an external display device 114 over [a] wireless RF link."



Docket No.: 28212/0200342-US0

television and still operate. Thus, the disclosure of the cited references does not rise to the level of inherency required to reject this claim. “The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic.” M.P.E.P. §2112. “[T]he allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.” M.P.E.P. §2112. In this instance, there is no requirement that a TV inform a remote control of its display capabilities. Accordingly, such a teaching is not inherent. For these additional reasons, the Applicants respectfully request that the rejection of claim 8 be withdrawn.

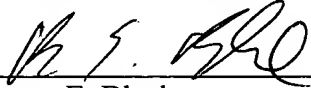
The Office Action continues to maintain the rejection of claim 8 without addressing the preceding argument made in the previous two amendments. If the rejection of claim 8 is to be maintained, the Applicants respectfully request that the Examiner address the argument and explain the reasons for maintaining the rejection.

With respect to the rejection of claims 9, 12, 16, and 36, the Office Action asserts that Allport teaches that the mobile device (i.e., remote control) can function as a video phone system. Contrary to this assertion, Allport teaches that the entire invention, not just the mobile device, can be used for videoconferencing. There is no teaching or suggestion that the remote control itself is used to receive telephone signals or, more particularly, that the remote control can be a cellular phone or use a cellular phone network. Rather, the mobile device appears to receive video images from the base station which acts as a videophone. The assertion in the Office Action that Allport teaches the elements of claims 9, 12, 16, and 36 is simply not supported by the vague and brief disclosure in Allport. For at least these additional reasons, the Applicants respectfully submit that claims 9, 12, 16, and 36 are patentable over Allport and the Applicants request withdrawal of the rejection of these claims.

In view of the above remarks, applicant believes the pending application is in condition for allowance.

Dated: December 20, 2005

Respectfully submitted,

By 

Bruce E. Black

Registration No.: 41,622

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(206) 262-8900

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant